

<b>GF&amp;A CONSTRUCTION AND</b>	)	<b>AGBCA Nos. 2004-112-1</b>
<b>DEVELOPMENT, INC.,</b>	)	<b>2004-113-1</b>
	)	<b>2004-114-1</b>
<b>Appellant</b>	)	<b>2004-115-1</b>
	)	<b>2004-116-1</b>
<b>Representing the Appellant:</b>	)	
	)	
Gage Froerer	)	
President	)	
GF&A Construction and Development, Inc.	)	
2641 Washington Blvd.	)	
Ogden, Utah 84401	)	
	)	
<b>Representing the Government:</b>	)	
	)	
Heather R. Hinton, Esquire	)	
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**DECISION OF THE BOARD OF CONTRACT APPEALS**

**April 13, 2004**

**Before POLLACK, VERGILIO and WESTBROOK, Administrative Judges.**

**Opinion for the Board by Administrative Judge WESTBROOK.**

These appeals arise out of Contract No. 50-84N8-1-027, the Lodgepole Campground Reconstruction Project, between GF&A Construction and Development, Inc., of Ogden, Utah (Appellant), and the U. S. Department of Agriculture, Forest Service (Forest Service or the Government), Heber Ranger District, Uinta National Forest, Utah. The appeals, received at the Board December 15, 2003, were from the Contracting Officer's decision of September 5, 2003, denying Appellant's claims: (1) \$15,257.11 for waterlines relocation; (2) \$6,930.36 for concrete hydrant pads; (3) \$3,155.56 for saw cuts; (4) \$1,500.02 for moving rocks; and, (5) \$15,096.27 for repair of damaged pipe line. The appeals were docketed as AGBCA Nos. 2004-112-1 through 2004-116-1, respectively.

After docketing, the parties filed pleadings and the Government submitted an Appeal File pursuant to Board Rule 4. By Board letter dated February 24, 2004, the parties were provided 60 days in

**2004-115-1, and 2004-116-1**

which to notify the Board whether a hearing was desired. Before that period elapsed, the Board received Appellant's letter dated April 8, 2004, in which Appellant notified the Board that it had executed a settlement agreement with the Forest Service and requested that the appeals be dismissed with prejudice.

**DECISION**

Pursuant to Appellant's request, and because they have been settled, the appeals are hereby dismissed with prejudice.

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**ANNE W. WESTBROOK**  
Administrative Judge

**Concurring:**

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**HOWARD A. POLLACK**  
Administrative Judge

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**JOSEPH A. VERGILIO**  
Administrative Judge

**Issued at Washington, D.C.**  
**April 00, 2004**